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 Attorneys for Plaintiffs
 ANNA BENINCASA dba ECLECTIC BY DESIGN and
 STEVEN MORALES

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANNA BENINCASA dba ECLECTIC BY DESIGN and STEVEN MORALES, individuals,)	Case No. C 05-02266 JSW
)	
Plaintiffs,)	STIPULATION AND [PROPOSED]
)	ORDER WITHDRAWING PLAINTIFFS'
vs.)	EX PARTE APPLICATION FOR LEAVE
)	TO FILE MOTION FOR DISCOVERY
RAIDER JEAN, L.L.C., a Texas limited liability company,)	RELIEF AND SETTING DATES FOR
)	DISCOVERY RESPONSES
Defendant.)	
)	

Plaintiffs Anna Benincasa dba Eclectic by Design and Steven Morales by and through their counsel, and Defendant Raider Jean, LLC, by and through its counsel hereby enter into a stipulation with respect to the following facts.

A. Plaintiffs served on Defendant their First Set of Interrogatories and First Request for Production of Documents on October 11, 2005;

B. On January 10, 2005 Plaintiffs filed an Ex Parte Motion for Leave to File Discovery Motion seeking to compel responses to said discovery and to compel filing of Defendant's initial disclosures;

C. On January 10, 2006, Defendant served its initial disclosure;

D. The parties desire to withdraw the pending Ex Parte Application and to set a date

1 certain for responses to the outstanding discovery.

2 Now, therefore, it is hereby stipulated that:

3 1. The pending Ex Parte Application for Leave to File Motion for Discovery Relief
4 is hereby withdrawn;

5 2. Defendant Raider Jean shall serve its responses to Plaintiff's First Set of
6 Interrogatories and First Set of Document Requests by no later than Friday, January 27, 2006;
7 and

8 3. After Defendant has filed its responses to the outstanding discovery as set forth
9 above, and if thereafter a dispute should arise concerning those responses, the parties agree to
10 promptly meet and confer in person and, if not resolved, prepare a joint letter brief to the Court
11 regarding their dispute.

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13 Dated: January 26, 2006

LAW OFFICES OF LAWRENCE G. TOWNSEND

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15 By: /s/ Lawrence G. Townsend
16 As the filing attorney, I attest that the foregoing
17 is accepted by counsel signing below.

18 Lawrence G. Townsend
19 Attorneys For Plaintiffs ANNA BENINCASA dba
ECLECTIC BY DESIGN and STEVEN MORALES

20 Dated: January 27, 2006

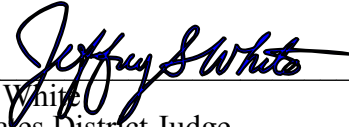
SHEPPARD MULLIN RITCHER & HAMPTON LLP

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22 By: /s/ Neil A. Smith
23 Neil A. Smith
24 Attorneys For Defendant RAIDER JEAN, L.L.C.

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1 IT IS SO ORDERED.
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4 DATED: January 30, 2006
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Jeffrey S. White
United States District Judge

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